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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PENDLETON DIVISION**

JANE DOE,

Plaintiff,

v.

Detective Sergeant **BILL WRIGHT**,
Lieutenant **KEITH KENNEDY**, Chief
DARLA HUXEL, in their individual and
official capacities; **CITY OF UMATILLA**,
a municipal entity; and **JOHN DOES 1-10**,
who are individuals or entities currently
unknown to the Plaintiff,

Defendants

Case No: 2:23-cv-00332-HL

JOINT PROPOSED CASE MANAGEMENT
SCHEDULE

The following Joint Rule 26(f) report and proposed discovery and trial schedule is
presented by the parties:

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on April 20, 2023. Participating in the meeting were:
 - Terry Scannell, Christopher Hayes, and Patrick Gregg for Plaintiff;
 - Andrew D. Campbell for Defendant Bill Wright; and
 - David Lewis and William Stabler for Defendants Keith Kennedy, Darla Huxel, and the City of Umatilla.

The parties conferred in good faith and have agreed to the following proposed schedule. Defendants are planning on filing a series of motions on or before May 19, 2023. These include Motions to Dismiss pursuant to FRCP 12, including motions on the question of qualified immunity of the Defendants, and Motions to Stay Discovery pending the Motions to Dismiss. The Plaintiffs have agreed to the Motions to Stay Discovery pending the outcome of the Motions to Dismiss. The parties request that the motion on qualified immunity be given expedited consideration.

2. Pre-discovery Disclosures. Plaintiffs believe that the parties shall exchange initial disclosures under Fed.R.Civ.P. 26(a)(1)(C) two days following the Court's ruling on the Motion to Dismiss on the question of qualified immunity.
3. Discovery Plan. The parties propose to the Court the following discovery plan:
 - a. Discovery will be needed on the following subjects: all issues relevant to the complaint and defenses.
 - b. All fact discovery is considered open upon the Court's ruling on the Motion to Dismiss on the question of qualified immunity and to be completed within six months following the ruling.
 - Fact Discovery Motions should be filed six weeks prior to the close of fact discovery.
 - c. Subject to experts being retained, expert disclosures and reports from retained experts under Rule 26(a)(2) shall be due:

- from Plaintiff within 30 days of completion of fact discovery; and
 - from Defendant within 30 days of the deadline for Plaintiff's expert disclosures.
- d. Supplementations under Rule 26(e) due within 14 days of Defendant's expert disclosures.
- e. Expert discovery to be completed within 14 days of the deadline for Supplementations.
- f. Should experts not be retained, the parties will confer in order to move the discovery schedule up accordingly. If needed, the parties will subsequently return to the court.
- g. The parties agreed to the District's standard Tier I protective order for sensitive internal policy, personal information, and other documents that warrant protection. The parties have agreed to discuss the specific categories of documents to be covered by the protective order. Any party may file a motion for a further protective order, for good cause shown, if necessary, within the time required to complete fact discovery as set forth above. Any party may oppose such a request for a protective order.
4. Other Items:
- a. The parties should be allowed until 45 days prior to the close of Fact Discovery to join additional parties and to amend the pleadings.
- b. All potentially dispositive motions must be filed within 30 days of the completion of expert discovery, with dates for responses and replies flowing therefrom.
- c. Joint ADR Status Report: a Joint ADR Status Report shall be due 14 days after filing of dispositive motions.
- d. The parties suggest a date for a 5-day jury trial be set as soon as the Court's schedule permits from ruling on dispositive motions.

- e. Pre-Trial Orders, Exhibits, Verdict Forms, Trial Documents, and Motions in Limine should be due 14 days prior to trial.
- f. Pre-Trial Conference should be held 7 days prior to trial.
- g. Pursuant to LR 26(2), the parties have conferred regarding electronically stored information (ESI). The parties have agreed to ensure that discoverable ESI is not deleted, altered, or otherwise made inaccessible. For now, the parties have agreed that ESI can be presented in petrified form in pdf or other printable and readable documents but agree that this can be later revisited. The parties do not anticipate that ESI discovery will be an issue in this case but will continue to confer and will propose an appropriate ESI Protocol Order if appropriate.
- h. The parties agree that standard description in discovery requests as done in paper discovery is sufficient. Discovery production will be Bates labeled and produced in pdf format, or as requested by the parties in native format. Documents should legible, in paginated order, non-repetitive, and responsive documents organized by request the documents provided are responsive to.

DATED: May 4, 2023

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the United States District Court for the State of Oregon using the CM/ECF system. I certify that all participants in this case who are registered CM/ECF users had service accomplished by the USDC CM/ECF system, and that if they are not registered users of this system this filing was sent via the US Postal Service, Priority Mail to them at their address of record, and their name and address is listed below.

DATED: Thursday, May 4, 2023

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